

House File 458 - Introduced

HOUSE FILE 458

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A BILL FOR

1 An Act requiring that honey packaged in this state and sold
2 or offered for sale to consumers be labeled, and making
3 penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 191.8A Label requirements for
2 honey.

3 1. As used in this section, "*honey*" means the substance
4 capable of use as human food that is produced by bees of
5 the genus *apis mellifica*, and derived from the nectar of
6 plants, secretions of living parts of plants, or excretions of
7 plant-sucking insects on the living parts of plants, that the
8 bees collect, transform, deposit, dehydrate, store, and leave
9 in a honeycomb to ripen and mature.

10 2. The department shall adopt rules prescribing a label
11 that must be affixed to a container of honey when the honey
12 is packaged in this state and sold or offered for sale to
13 consumers on a retail basis, to the extent such rules are
14 allowed under the federal Food, Drug, and Cosmetic Act, 21
15 U.S.C. ch. 9, subch. IV, including applicable regulations
16 adopted by the United States food and drug administration.

17 3. The department shall adopt rules that prescribe the size
18 of the label, where the label may be affixed to the container,
19 and the size and type of letters printed on the label. The
20 label shall include all of the following:

21 a. The name and address of the person packaging the honey.

22 b. The net weight of the honey.

23 c. The grade assigned to the honey and the color for the
24 honey of that grade. The honey may be assigned no grade.

25 d. Whether the container contains an ingredient other than
26 honey or any form of additive.

27 4. Nothing in this section shall prevent the department
28 from adopting rules that allow a person to supplement the
29 information required to be contained on the label, including
30 but not limited to a further description of the quality or
31 type of honey being sold or offered for sale. The label may
32 identify a predominant flavor of the honey or the principal
33 source from which the honey is derived so long as it is clearly
34 predominant and readily distinguishable.

35 Sec. 2. RULEMAKING. In adopting rules under this Act, the

1 department of agriculture and land stewardship shall consult
2 with interested persons including but not limited to the Iowa
3 honey producers association and Sioux honey association.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 BILL'S PROVISIONS. This bill amends Code chapter 191 which
8 authorizes the department of agriculture and land stewardship
9 to regulate food sold or offered for sale, including by
10 requiring that labels be affixed to food containers. The
11 bill requires the department to adopt rules prescribing a
12 label that must be affixed to a container of honey when the
13 honey is packaged in this state and sold or offered for sale
14 to consumers on a retail basis. The department's rules must
15 comply with the federal Food, Drug, and Cosmetic Act and
16 regulations of the United States food and drug administration
17 adopted pursuant to that law. The label prescribed by the
18 department must include: (1) the name and address of the
19 person packaging the honey, (2) the net weight of the honey,
20 (3) the color and grade assigned to the honey, and (4) whether
21 the container includes other ingredients or additives. The
22 department may allow a person to supplement the information
23 contained on the label. In adopting the rules, the department
24 must consult with interested persons.

25 ENFORCEMENT. The department may restrain a person violating
26 the bill's provisions by petitioning the district court where
27 the violation occurs for injunctive relief (Code section
28 191.10).

29 PENALTY. A person violating the bill's provisions is guilty
30 of a simple misdemeanor (Code section 189.21). A simple
31 misdemeanor is punishable by confinement for no more than 30
32 days or a fine of at least \$65 but not more than \$625 or by
33 both.